

EDUCATION DEPARTMENT[281]

Notice of Intended Action

**Proposing rule making related to senior year plus program
and providing an opportunity for public comment**

The State Board of Education hereby proposes to amend Chapter 22, “Senior Year Plus Program,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is proposed under the authority provided in Iowa Code section 256.7(5).

State or Federal Law Implemented

This rule making implements, in whole or in part, 2020 Iowa Acts, House File 2629, division V.

Purpose and Summary

This proposed rule making updates Iowa’s Senior Year Plus Program by removing the limitation to part-time enrollment, as required by 2020 Iowa Acts, House File 2629. This rule making also makes updates to the Summer College Credit Program.

Fiscal Impact

This rule making has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rule making, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the State Board for a waiver of the discretionary provisions, if any, pursuant to 281—Chapter 4.

Public Comment

Any interested person may submit written or oral comments concerning this proposed rule making. Written or oral comments in response to this rule making must be received by the Department no later than 4:30 p.m. on October 27, 2020. Comments should be directed to:

Thomas Mayes
Department of Education
Grimes State Office Building, Second Floor
400 East 14th Street
Des Moines, Iowa 50319-0146
Phone: 515.242.5614
Email: thomas.mayes@iowa.gov

Public Hearing

A public hearing at which persons may present their views orally or in writing will be held as follows:

October 27, 2020
10 to 10:30 a.m.

ICN Room, Second Floor
Grimes State Office Building
Des Moines, Iowa
Via video conference:
[IDOE.zoom.us/j/98842835917?pwd=djJR
YWpESGFGY21LdE5kcVBST3Jjdz09](https://doe.zoom.us/j/98842835917?pwd=djJRZWpESGFGY21LdE5kcVBST3Jjdz09)

Persons who wish to make oral comments at the public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rule making.

Any persons who intend to attend the public hearing and have special requirements, such as those related to hearing or mobility impairments, should contact the Department and advise of specific needs by calling 515.281.5295.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rule-making actions are proposed:

ITEM 1. Amend paragraph **22.2(2)“b”** as follows:

b. The student shall have demonstrated proficiency in all of the content areas of reading, mathematics, and science as evidenced by achievement scores on the most recent administration of the ~~Iowa assessments~~ statewide assessment for which scores are available for the student. If the student was absent for the most recent administration of the ~~Iowa assessments~~ statewide assessment, and such absence was not excused by the student's school of enrollment, the student is deemed not to be proficient in any of the content areas. The school district may determine whether such student is eligible for qualification under an equivalent qualifying performance measure.

(1) and (2) No change.

(3) A student under competent private instruction shall meet the same proficiency standard as students in the school district in which the student is dually enrolled and shall have the approval of the school board in that school district to register for the postsecondary course. In lieu of ~~Iowa assessments~~ statewide assessment scores as the state assessment, a school district shall allow a student under competent private instruction to demonstrate proficiency in reading, mathematics, and science by any one of the following means:

1. to 6. No change.

ITEM 2. Rescind the definitions of “Full time” and “Part time” in rule **281—22.6(261E)**.

ITEM 3. Amend rule 281—22.11(261E) as follows:

281—22.11(261E) Applicability. The concurrent enrollment program, also known as district-to-community college sharing, promotes rigorous academic or career and technical pursuits by providing opportunities to high school students to enroll ~~part-time~~ in eligible nonsectarian courses at or through community colleges established under Iowa Code chapter 260C.

22.11(1) and **22.11(2)** No change.

22.11(3) A student may make application to a community college and the school district to allow the student to enroll for college credit in a nonsectarian course offered by the community college. A comparable course, as defined in rules adopted by the board of directors of the school district, must not be offered by the school district or accredited nonpublic school which the student attends. The school board shall annually approve courses to be made available for high school credit using locally developed criteria that establish which courses will provide the student with academic rigor and will

prepare the student adequately for transition to a postsecondary institution. A school district may not use concurrent enrollment courses to meet the accreditation requirements, except as provided in Division V of 281—Chapter 12 other than for career technical courses.

22.11(4) to 22.11(7) No change.

ITEM 4. Rescind subrule **22.21(2)**.

ITEM 5. Renumber subrule **22.21(3)** as **22.21(2)**.

ITEM 6. Rescind paragraph **22.33(2)“d.”**

ITEM 7. Amend paragraph **22.33(3)“a”** as follows:

a. Minimum components. The proposal shall detail the following components.

(1) A program description, including the course or courses to be made available through the program; total number of credit hours; additional cocurricular experiences and activities including project-, problem-, and work-based learning opportunities; additional support services to be made available through the program; and any other pertinent program information.

~~(2) All minimum and required costs associated with offering the program, including, but not limited to, instructor salary, materials and supplies, and overhead costs.~~

~~(3) (2)~~ The total number of students that the program is capable of serving.

~~(4) Any additional components and expenses built into the program, including but not limited to student transportation, academic supports, and extracurricular experiences.~~

~~(5) (3)~~ The start date and duration of the program. ~~Programs approved under this rule shall have a start date no later than the second Friday in June of each year.~~

ITEM 8. Amend paragraph **22.33(4)“a”** as follows:

a. Base funding. ~~Not more than one-half of the total allocation shall be made available to fund proposals approved under subrule 22.33(3).~~ The amount of funds reserved for base funding as specified in paragraph 22.33(4)“c” shall be distributed equally between approved programs.

ITEM 9. Amend subparagraph **22.33(4)“b”(2)** as follows:

(2) Enrollment funding shall be calculated by the department for each program with enrollment greater than the minimum enrollment threshold. For purposes of this rule, the portion of enrollment funding to be received by a postsecondary institution offering an approved program shall be equal to the total number of credits for all student enrollment in the approved program divided by the total number of credits for all student enrollments statewide.